

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

v.

\*

**DEVANTE STEWART,**

\*

Criminal No. **16 - 160 BPG**

**Defendant.**

\*

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**AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT**

Your Affiant, Charron Anderson, after being duly sworn, states as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have been employed with the ATF since October, 2009. I am assigned to the ATF Baltimore Field Division, Baltimore Group III, which is tasked with investigating violent crime and gun trafficking as well as individuals or groups who commit violations of federal laws. Currently I have been assigned to work in conjunction with the Baltimore City Police Department SES Group on a joint enforcement operation.

2. In my capacity as a Special Agent, I have initiated surveillance, covered and worked in an undercover capacity; covered confidential informant meets with targets, as well as executed search and seizure warrants in furtherance of ongoing investigations. I have attended training encompassing the use of cellular phones and electronic communication to facilitate criminal activities. I have participated in the investigation and prosecution of convicted felons, firearms and narcotics traffickers, and individuals involved in the possession and distribution of illicit firearms.

3. The information set forth below is drawn from my personal knowledge and observations, discussions with other ATF agents as well as other law enforcement officers and employees, and information received from witnesses, confidential sources or informants, various police reports, and public records. This affidavit does not include every fact known to me concerning the investigation, and instead contains only those facts that I believe establish probable cause to support the issuance of a complaint and warrant for the arrest of Devante STEWART.

**PURPOSE**

This Affidavit is made in support of an application for the issuance of a complaint and warrant for the arrest of Devante STEWART for distribution of heroin in violation of Title 21 of the United States Code § 841 and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18 of the United States Code § 924(c) on October 1, 2015. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses.

**PROBABLE CAUSE**

4. The ATF and BPD have been conducting an investigation of Devante STEWART; aka "TONY" a known facilitator of narcotics and firearms trafficker in the Baltimore, Maryland area. In

August 2015, the ATF and BPD began investigating **STEWART** and his associates in the Western District of Baltimore City, Maryland.

5. On September 18, 2015 ATF Special Agents conducted an interview with a Confidential Source (CS). The CS has been cooperating with federal agents since August 2015 and has provided reliable information thereto. The CS stated that **STEWART** has possessed and distributed narcotics, specifically heroin, to him/her, in exchange for firearms and currency, for approximately four years.

6. The CS stated it was **STEWART'S** proposal that **STEWART** would exchange the narcotics he possessed for firearms from the CS. **STEWART** began ordering specific firearms from the CS with the intent to supply unspecified quantities of heroin to the CS in exchange.

7. The CS stated on one occasion **STEWART**, via his girlfriend, sent a money order to him/her to buy a specific firearm and recently **STEWART** "fronted" (advanced the CS funds) the CS (\$500) five hundred dollars of US Currency towards the purchase of two Glock 40 caliber pistols. The CS stated he/she and **STEWART** agreed that once the pistols were obtained by the CS, **STEWART** would then give the CS heroin.

8. The CS recalls exchanging six (6) or more firearms in the last two (2) years with **STEWART** in return for heroin.

9. On September 30, 2015 ATF utilized the Confidential Source (CS) to conduct a consensually monitored telephone call to **STEWART**. The conversation involved the CS providing **STEWART** three (3) Glock 40 caliber pistols and in exchange, **STEWART** gave the CS narcotics, commonly referred to as heroin and an indeterminate of amount of US Currency. The transaction was set to take place on October 1, 2015.

10. On October 1, 2015, ATF and BPD personnel using an ATF Undercover Agent (UC) conducted a "buy/reverse" operation targeting **STEWART**. During the operation **STEWART** was arrested after he distributed 3.6 grams of a controlled substance, (heroin), together with eighty (\$80.00) dollars of US Currency to the CS in exchange for three (3) Glock, model 27, 40 caliber pistols. The transaction took place in Baltimore, Maryland. This buy/reverse transaction was both audio and video recorded.

11. Once in custody, a search incident to arrest of **STEWART** revealed he was in possession of the following items (on his person):

- a. (1) One Springfield Armory, model: XD40, .40 caliber pistol, serial #: XD324019
- b. (5) Five stainless steel .40 caliber magazines loaded with fifty-one (51) rounds of assorted .40 caliber ammunition
- c. Four hundred and thirty Dollars and fifty-six cents (\$430.56) of US Currency and
- d. (1) One Kyocera flip cellular phone.

12. Based on my training, knowledge and experience, as well as discussions with other law enforcement officers, I know that individuals who traffic and deal in narcotics frequently carry and possess firearms and additional ammunition (housed in firearm magazines) to protect themselves, their product, and area of operation from rival drug traffickers, law enforcement, and other criminal elements.

13. Neither the aforementioned Glocks nor the Springfield Armory handguns are manufactured in the State of Maryland and therefore travelled and affected interstate commerce previous to their recovery during this investigation.

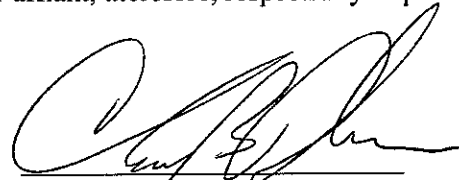
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14. All of the firearms described herein have been examined and were designed to be capable of expelling a projectile by the action of an explosive and therefore meeting the definition of a firearm as defined by Title 18, United States Code, § 921.

CONCLUSION

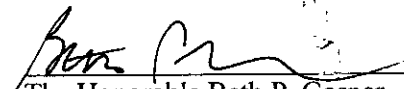
15. Having signed this affidavit under oath, as to all assertions and allegations contained herein, I state that its contents are true and correct to the best of my knowledge, information and belief.

16. Your affiant believes, based on the information provided in this affidavit, that there exists probable cause to believe that on October 1, 2015, defendant STEWART knowingly distributed and possessed with the intent to distribute the aforementioned narcotics (heroin) in violation of Title 21 of the United States Code § 841 and Possessed Firearms in Furtherance of a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924 (c). Your affiant, therefore, respectfully request that a complaint and warrant be issued against STEWART.



Charron Anderson, Special Agent  
Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Sworn to and subscribed before me this  
21<sup>st</sup> Day of January, 2016.

  
The Honorable Beth P. Gesner,  
United States Magistrate Judge

FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
LOGGED \_\_\_\_\_ RECEIVED \_\_\_\_\_

JAN 21 2016

AT BALTIMORE  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

BY

DEPUTY

